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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SURGICAL INSTRUMENT SERVICE
COMPANY, INC.,

Plaintiff,

v.

INTUITIVE SURGICAL, INC.,
Defendant.

Case No. 3:21-cv-03496-AMO

**DECLARATION OF PAUL D.
BRACHMAN IN SUPPORT OF
INTUITIVE'S REPLY IN SUPPORT
OF MOTION FOR LIMITED
SUPPLEMENTAL DISCOVERY**

The Honorable Araceli Martínez-Olguín

1 I, PAUL D. BRACHMAN, declare as follows:

2 1. I am an attorney licensed to practice in New York and the District of Columbia,
3 and am admitted *pro hac vice* to practice before this Court. I am a partner with the law firm of
4 Paul, Weiss, Rifkind, Wharton & Garrison LLP (“Paul, Weiss”), counsel for Intuitive Surgical,
5 Inc. (“Intuitive”) in this matter. I have personal knowledge of the facts set forth herein, and if
6 called to testify, I could and would testify competently hereto.

7 2. Attached to this declaration as **Exhibit 15** is a true and correct copy of excerpts of
8 the transcript of the deposition of Rick Ferreira taken in the matter of *Restore Robotics LLC, et*
9 *al. v. Intuitive Surgical, Inc.*, No. 5:19-cv-55 (N.D. Fla.), on June 7, 2021.

10 3. Attached to this declaration as **Exhibit 16** is a true and correct copy of excerpts of
11 the transcript of the deposition of David Rosa, taken in this matter on May 1, 2023.

12 4. Attached to this declaration as **Exhibit 17** is a true and correct copy of excerpts of
13 the transcript of the deposition of Greg Posdal, taken in this matter on November 1, 2022.

14 5. Attached to this declaration as **Exhibit 18** is a true and correct copy of an email
15 sent by Steve Sherry of the McCaulley Law Group, counsel for Plaintiff Surgical Instrument
16 Service Company Inc., on August 28, 2024.

17 I declare under the penalty of perjury under the laws of the United States that the
18 foregoing is true and correct.

19 Dated: September 3, 2024

20 By: /s/ Paul D. Brachman

21 PAUL D. BRACHMAN
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FILER'S ATTESTATION

I, Kenneth A. Gallo, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that the signatory identified above has concurred in this filing.

Dated: September 3, 2024

By: /s/ Kenneth A. Gallo
Kenneth A. Gallo

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